



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/668,907	09/23/2003	Sompong P. Olarig	200304398-2	2518

7590 08/22/2006  
HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, CO 80527-2400

EXAMINER	
ONI, OLUBUSOLA	
ART UNIT	PAPER NUMBER
2168	

DATE MAILED: 08/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/668,907	<b>Applicant(s)</b> OLARIG ET AL.	
	<b>Examiner</b> OLUBUSOLA ONI	<b>Art Unit</b> 2168	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 07/09/2006.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1,3,5,12-14,17,22-26,36-38,42,47,49,56,64 and 68-71 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3,5,12-14,17,22-26,36-38,42,47,49,56,64 and 68-71 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

**DETAILED ACTION**

**Response to Amendment**

1. The amendment filed July 9, 2006 has been entered. Claims 1, 22, 47 have been amended. Claims 2, 4, 6-11, 15-16, 18-21, 27-35, 39-41, 43-46, 48, 50-55 and 57-67 have been cancelled. Double patenting rejection has been withdrawn.

***Terminal Disclaimer***

2. The terminal disclaimer filed on July 9, 2006 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of Patent 6, 633, 978 has been reviewed and is accepted. The terminal disclaimer has been recorded.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international

Art Unit: 2168

application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 22-26, 36-37, 42, 47, 49, 56 and 68-70 are rejected under 35 U.S.C. 102(e) as being anticipated by Crawford (U.S. 6,411,943).

For claim 22, Crawford teaches "a computer having a plurality of installed resources" (Col. 2, lines 39-42, Col. 4, lines 55-69); and "a configuration manager coupled to the computer" said configuration manager is adapted to store a configuration database including resource information associated with the computer" (Col. 18, lines 53-59, Col. 19, lines 40-67, Col. 20, lines 1-4), "adapted to receive a restoration request from the computer as a result of a failure of said computer, said restoration request including a computer identifier associated with the computer" (Col. 9, lines 6-10, C. 10, lines 32-38, Col. 30, lines 1-11), " a adapted to authenticate the restoration request, adapted to access the configuration database to identify a restorable resource based on the computer identifier associated with the computer"( Col. 9, lines 6-10, Col. 18, lines 15-58), and "adapted to provide the restorable resource to the computer"(Col. 2, lines 39-42, Col. 4, lines 55-69).

Art Unit: 2168

For claim 23, this claim is rejected on grounds corresponding to the argument give above for rejected claim 22 above. Crawford teaches "wherein the computer is adapted to install the restorable resource"(Col. 4, lines 34-37, Col. 4, lines 55-67).

For claim 24, this claim is rejected on grounds corresponding to the argument give above for rejected claim 22 above. Crawford teaches "further comprising a server coupled to the computer and adapted to receive the restorable resource and install the restorable resource on the computer" (Col. 4, lines 34-37, Col. 4, lines 55-67).

For claim 25, this claim is rejected on grounds corresponding to the argument give above for rejected claim 22 above. Crawford teaches "further comprising a server coupled to the computer, the configuration manager being housed on the server" (Col. 4, lines 34-37, Col. 4, lines 55-67, Col. 18, lines 53-59, Col. 19, lines 40-67, Col. 20, lines 1-4).

For claim 26, this claim is rejected on grounds corresponding to the argument give above for rejected claim 22 above. Crawford teaches " wherein the configuration manager is adapted to provide the restorable resource to the computer by providing an address for the restorable address" (Col. 4, lines 1-16, Col. 15, lines 21-30).

For claim 36, this claim is rejected on grounds corresponding to the argument give above for rejected claim 22 above. Crawford teaches "wherein the computer is adapted

Art Unit: 2168

to register a plurality of installed resources associated with the computer in the configuration database" (Col. 18, lines 50-59, Col. 19, lines 40-67, Col. 20, lines 1-4).

For claim 37, this claim is rejected on grounds corresponding to the argument give above for rejected claim 36 above. Crawford teaches "wherein the computer is adapted to register the plurality of installed resources by providing a resource name and a computer identifier associated with the computer" (Col. 19, lines 40-67, Col. 20, lines 1-4).

For claim 42, this claim is rejected on grounds corresponding to the argument give above for rejected claim 36 above. Crawford teaches "wherein the configuration database includes resource identifying information, resource version information, and resource location information" (Col. 18, lines 50-59, Col. 19, lines 40-67, Col. 20, lines 1-67).

For claim 47, Crawford teaches "a configuration database including resource information" (Col. 14, lines 60-67, Col 15, lines 1-4, Col. 18, lines 15-58); "program instructions, that when executed by a processing device perform a method for restoring a resource on a computer that previously failed "(col. 4, lines 55-67, Col. 30, lines 1-11), the method comprising:  
"as a result of said failure, receiving a restoration request including a computer identifier associated with the computer"(Col. 9, lines 6-10, Col. 10, lines 32-38, Col. 30, lines 1-

Art Unit: 2168

11); "accessing the configuration database based on the computer identifier to identify a restorable resource associated with the computer" (Col. 9, lines 6-10, Col. 18, lines 15-58); "identify an available upgrade for the restorable resource" (Col. 10, lines 26-31).

For claim 49, this claim is rejected on grounds corresponding to the argument give above for rejected claim 47 above. Crawford teaches "wherein providing the restorable resource or the upgrade of the restorable resource (Col. 10, lines 26-31) to the computer in the method includes providing an address for the restorable address"(Col.4, lines 1-16, Col. 15, lines 21-30).

For claim 56, this claim is rejected on grounds corresponding to the argument give above for rejected claim 47 above. Crawford teaches "wherein the configuration database includes resource identifying information, resource version information, and resource location information" (Col. 18, lines 50-59, Col. 19, lines 40-67, Col. 20, lines 1-67).

For claim 68, this claim is rejected on grounds corresponding to the argument give above for rejected claim 47 above. Crawford teaches "wherein the method further comprises offering the restorable resource and the upgrade of the restorable resource" (Col. 10, lines 26-31).

Art Unit: 2168

For claim 69, this claim is rejected on grounds corresponding to the argument give above for rejected claim 68 above. Crawford teaches "wherein the method further comprises enabling a user to select either the restorable resource or the upgrade of the restorable resource" (Col. 51, lines 43-47)

For claim 70, this claim is rejected on grounds corresponding to the argument give above for rejected claim 69 above. Crawford teaches "wherein the method further comprises providing either the restorable resource or the upgrade of the restorable resource based on the user's selection" (Col.51, lines 42-64)

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.



Art Unit: 2168

6. Claims 1, 3, 5, 12-14, 17, 38 and 71 are rejected under 35 U.S.C. 103(a) as being unpatentable over Crawford (U.S. 6,411,943) in view of Roger Needham et al. (December 1978) hereinafter Roger.

For claim 1, Crawford teaches "providing a configuration database including resource information"(Col. 14, lines 60-67, Col. 15, lines 1-4, Col. 18, lines 15-58);

"as a result of said failure, receiving a restoration request including a computer identifier associated with the computer"(Col. 9, lines 6-10, Col. 10, lines 32-38, Col. 30, lines 1-11);

"accessing the configuration database based on the computer identifier to identify a restorable resource associated with the computer"(Col. 9, lines 6-10, Col. 18, lines 15-58);

Crawford does not explicitly teach "encrypting the restorable resource to form an encrypted restorable resource"

However Roger teaches "encrypting the restorable resource to form an encrypted restorable resource" (See [pg 995- 996]).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Crawford's teachings of encryption at col. 44, lines 11-42 with teachings of Roger, using the method of encryption, which secures communication in physically vulnerable networks depending upon the encryption of materials passing between machines. Encryption not only ensures the privacy of the information but it also ensures the integrity of a message.

For claim 3, this claim is rejected on grounds corresponding to the argument give above for rejected claim 1 above. Crawford teaches "wherein providing further comprising providing the encrypted restorable resource to the computer" (See [pg 993- 996]).

For claim 5, this claim is rejected on grounds corresponding to the argument give above for rejected claim 1 above. Roger teaches "wherein providing the restorable encrypted restorable resource to the computer" (See [pg 995- 998])

Roger does not explicitly teach "providing an address for the restorable address" However Crawford's teachings include "providing an address for the restorable address" (Col. 4, lines 1-16, Col. 4, lines 55-67, Col. 15, lines 21-30, Col. 18, lines 15-47).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Roger with Crawford, thereby sending restorable resource in the form of an address, would make receiving and access much easier and also ensures its integrity.

For claim 12, this claim is rejected on grounds corresponding to the argument give above for rejected claim 1 above. Crawford teaches "further comprising registering a plurality of installed resources associated with the computer in the configuration database" (Col. 18, lines 50-59, Col. 19, lines 40-67, Col. 20, lines 1-4).

Art Unit: 2168

For claim 13, this claim is rejected on grounds corresponding to the argument give above for rejected claim 12 above. Crawford teaches "wherein registering the plurality of installed resources includes providing a resource name and a computer identifier associated with the computer" (Col. 19, lines 40-67, Col. 20, lines 1-4).

For claim 14, this claim is rejected on grounds corresponding to the argument give above for rejected claim 13 above. Crawford does not explicitly teach "wherein registering the plurality of installed resources includes providing the resource name and computer identifier in an encrypted file".

However, Roger teaches "wherein registering the plurality of installed resources includes providing the resource name and computer identifier in an encrypted file" (See [pg 993-996]).

For claim 17, this claim is rejected on grounds corresponding to the argument give above for rejected claim 1 above. Crawford teaches "wherein providing the configuration database includes providing a configuration database having resource identifying information, resource version information, and resource location information" (Col. 18, lines 50-59, Col. 19, lines 40-67, Col. 20, lines 1-67).

For claim 38, this claim is rejected on grounds corresponding to the argument give above for rejected claim 37 above. Crawford does not explicitly teach "wherein

Art Unit: 2168

registering the plurality of installed resources includes providing the resource name and computer identifier in an encrypted file”.

However, Roger teaches “wherein registering the plurality of installed resources includes providing the resource name and computer identifier in an encrypted file” (See [pg 993-996]).

For claim 71, this claim is rejected on grounds corresponding to the argument give above for rejected claim 3 above. Crawford teaches “ wherein proving the encrypted restorable resource to the computer comprises providing the restorable resource to a server connected to the computer” (See [pg 995- 996]).

**Response to Argument**

7. Applicant's argument filed July 9, 2006 has been fully considered but they are not persuasive. The examiner respectfully traverses applicant's arguments.

As per claim 1, 22 and 47 applicant argued that Crawford does not teach as a result of said failure, receiving a restoration request including a computer identifier associated with the computer. On the contrary Crawford teaches at Col. 30, lines 1-11 and fig. 8A&B, request for backup, restore and achieve service of a computer. Applicant also argued that Crawford's ~~teaches~~ does not teach restoring resources following a computer failure, on the contrary Crawford teaches at Col. 8, lines 32-40, restoring a computer due to failure of the local mass storage device. As per claim 1, applicant also argues Roger does not teach encrypting the restorable resource, on the contrary Crawford teaches a copy protection arrangement to prevent unauthorized access at col.44, lines 11-42, with teachings of Roger on pg 995- 996, explains using the method of encryption, which secures communication in physically vulnerable networks depending upon the encryption of materials passing between machines. Encryption not only ensures the privacy of the information but it also ensures the integrity of a message.

**CONCLUSION**

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to OLUBUSOLA ONI whose telephone number is 571-272-2738. The examiner can normally be reached on 7.30-5.00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, TIM VO can be reached on 571-272-3642. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2168

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



**KHANH B. PHAM**  
**PRIMARY EXAMINER**

OLUBUSOLA ONI  
Examiner  
Art Unit 2168